

REMARKS

Claims 13-20 currently appear in this application. The Office Action of August 25, 2003, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicants respectfully request favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Specification

The Abstract of the Disclosure is objected to because it is too long. Accordingly, a new Abstract of the Disclosure containing fewer than 60 words is submitted herewith on a separate sheet.

Rejections under 35 U.S.C. 112

Claims 9-12 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

This rejection is respectfully traversed. Claims 9-12 have been replaced by new claims 13-20. Support for these ~~claims can be found in the specification as filed at page 8,~~
line 14 through page 10, line 27.

Claims 9-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed. Claims 9-12 have been replaced by new claims 13-20. It is believed that claims 13-20 conform to all of the requirements of 35 U.S.C. 112.

Art Rejections

Claims 9-12 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 4 and 5 of U.S. Patent No. 6,489,111, hereinafter Takaishi et al. '111.

This rejection is respectfully traversed. Claims 9-12 have been cancelled, and new claims 13-20 presented herein. It is believed that claims 13-20 differ patentably from claims 4 and 5 of Takaishi et al. '111.

Claims 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Takaishi et al. '111.

This rejection is respectfully traversed. New claims 9-16 are apparatus claims, and there is nothing in Takaishi et al '111 that discloses or suggests the specific nozzle feeding means, liquid feeding means, and switch controlling means claimed herein. Moreover, the method

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claims, 17-20, require use of clearly recited apparatus for feeding solutions and controlling the reaction conditions. None of these is shown or suggested in Takaishi et al.'111.

Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by Schena et al. or Schmidt et al.

This rejection is respectfully traversed. There is nothing in either Schena et al. or Schmidt et al. that discloses or suggests the specific apparatus used in combination with the herein claimed method.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

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Replacement Sheet

Abstract of the Disclosure

Method and apparatus for constructing a cDNA library by hybridizing mRNA with oligo (dT) on a support and treating with a reverse transcriptase to immobilize complementary DNA, or for constructing a gDNA library by ligating a double-stranded chromosomal DNA library with an oligonucleotide on a support having a restriction enzyme site and then immobilizing the gDNA library.